

PATENT APPLICATION
Serial Number: 10/814,731
Attorney Docket Number: OFE 1854

REMARKS

Applicants hereby submit this Amendment B responsive to the Office Action—Date Mailed: December 30, 2008, Paper No. 20081221; for which a response is due three [3] months from the date of mailing of the Office Action: March 30, 2008; is hereby extended two [2] months by petition and fee for said Petition A and Extension is paid by charge account Deposit Account No. 50-1166, as per the Fee Transmittal filed herewith.

Claims 1-57 are hereby currently pending. Claims 1-57 are currently rejected. Claims 1, 3, 43, 54, 55, and 57 are hereby currently amended. Claims 31, 33-35 and 41-42 were previously presented. Claims 2, 4-30, 32, 36-40, 44-53 and 56 are original. No new matter has been added.

The Director has already been authorized to charge fees in this Application to Sitrick and Sitrick's USPTO Deposit Account: 50-1166.

Reconsideration is respectfully requested.

Examiner states on Page 2, #2. Paragraph 2 of the Office Action:

"2. *Claims 1-57 are rejected under 35 U.S.C. 102(e) as being anticipated by De Champlain, et al. (U.S. 6,587,080 B1).*"

De Champlain et al., is not analogous to Applicants' claimed invention as set forth in the presently pending Claims 1-57 (as amended).

With respect to Claim 1, De Champlain teaches a wireless system for locating one or more target location transmitters which are remote to and at a different location from any of the receiving directional antennas. The directional antennas are at a separate second location and are utilized to locate the position of the one or more target location transmitters. Thus, a car or person at a first location can be traced from a second location.

Contrary to the invention as set forth in Applicant's pending Independent Claims 1, 43, and 54 (as amended), De Champlain, et al., does not utilize directional antenna sectors, nor a receiving controller and a transmitting controller located all at a single first location, wherein at least one receiving controller is selectively coupled to selected ones of the directional antenna sectors in order to measure received electromagnetic signal

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characteristics in order to thereafter select which of the directional antenna sectors is to be used to subsequently transmit data from the same first location.

Therefore, it is respectfully submitted that Independent Claims 1, 43 and 54 (as amended) and all Dependent Claims depending therefrom (Claims 2-42, 44-53, and 55-57) are patentably distinguishable over De Champlain et al. (U.S. Patent No. 6,587,080) alone or in combination with any other art of record, and that all basis of rejection is traversed and overcome.

De Champlain teaches of a system of one or more of a target location transmitters and a plurality of receiving location receivers for locating the position of the target location transceiver. The target location transmitters and receiving location receivers are not at the same physical location, but are at physical separate and independent locations (which is the essence of De Champlain et al.).

As stated in the "Abstract" of De Champlain, et al., the system (and teachings) of De Champlain, et al., are to *"a wireless tracking system" that "consists of a wireless target including a wireless communication system for transmitting a data packet over a communication path, and a locating station for determining a position of the target. The data packet transmitted from the target includes an identification code uniquely associated with the target. The locating station includes a configurable directional antenna, a communication interval processing system, a direction processing system, and a position processing system"*.

The location station in De Champlain, et al., uses the directional antenna by *"controlling the configuration of the directional antenna so as to facilitate the determination of the transmission angle"*. [As stated in the Abstract of De Champlain, et al., *"The direction processing system determines the transmission angle of the communication path, and is in communication with the directional antenna for controlling the configuration of the directional antenna so as to facilitate the determination of the transmission angle"*.]

The location station in De Champlain, et al., determines the target position utilizing the transmission angle that was determined using the directional antenna. [As stated in the Abstract of De Champlain, et al., *"The position processing system is in communication with the interval processing system and the direction processing system, and determines the target position from the identification code, the transmission interval and the transmission angle"*.]

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Unlike the pending Applicants' Claims 1-57 (as amended), in De Champlain, et al., there is no selecting from of the plurality of directional antenna sectors to measure electromagnetic signal characteristics at selected directional antenna sectors, and thereafter selection of a directional antenna sector to transmit from to use based upon the measurement.

It is respectfully submitted that by this Amendment, all bases of rejection of the pending claims (as amended) are traversed and overcome, and that the rejection of Claims 1-57 under 35 U.S.C. 102(e) as being anticipated by De Champlain, et al. (U.S. Patent No. 6,587,080) is hereby traversed and overcome.

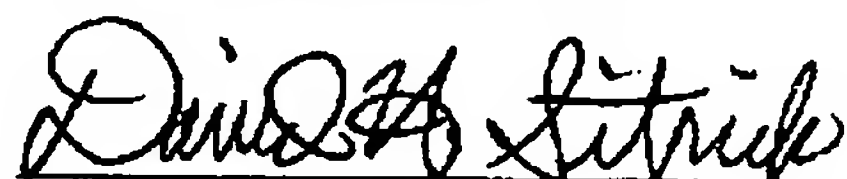
Reconsideration is respectfully requested.

Applicants respectfully submit that the present application is in proper form for allowance. Applicants respectfully request a Notice of Allowance or a Notice of Allowability.

This response is accompanied by the appropriate Petition for Extension of Time under 37 CFR 1.136(a). A fee in the amount of \$245.00 for a Petition for two month Extension of Time is due. The Director has already been authorized to charge fees in this application to Sitrick and Sitrick's USPTO Deposit Account: 50-1166.

The Examiner is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of the Application.

Respectfully submitted,



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